



# BOROUGH OF OCEANPORT

## MAYOR & COUNCIL

MINUTES • NOVEMBER 5, 2020

Workshop

REMOTE/VIRTUAL

7:00 PM

Municipal Building, 315 E. Main Street, Oceanport, NJ 07757

- I. **Meeting Called to Order:** Mayor Coffey called the meeting to order at 7:00 PM
- II. **Statement of Compliance with Open Public Meetings Act:** This meeting complies with the Open Public Meetings Act by notification on January 6, 2020 this location, date and time to the Asbury Park Press and the LINK News and by the posting of same on the municipal bulletin board and Borough Web Site. This meeting further complies with the Open Public Meetings Act by notification on November 2, 2020 of this virtual/remote meeting, its location, date and time to the Asbury Park Press and the Star Ledger and by the posting of same on the municipal bulletin board and Borough Web Site. Mayor Coffey then read the virtual/remote meeting advisory advising the public how to attend and participate during public portions of the meeting
- III. **Flag Salute:** Mayor Coffey led attendees and members of the Council in the flag salute.
- IV. **Invocation:** Borough Chaplain Stacy Deerin was unable to attend.
- V. **Roll Call:**

| Attendee Name        | Title                  | Status | Arrived |
|----------------------|------------------------|--------|---------|
| Jay Coffey           | Mayor                  | Remote |         |
| William Deerin       | Councilman             | Remote |         |
| Richard Gallo        | Councilman             | Remote |         |
| Bryan Keeshen        | Councilman             | Remote |         |
| Michael O'Brien      | Councilman             | Remote |         |
| Thomas Tvrdik        | Councilman             | Remote |         |
| Meghan Walker        | Councilwoman           | Remote |         |
| Jeanne Smith         | Borough Clerk          | Remote |         |
| Donna M. Phelps      | Borough Administrator  | Remote |         |
| Scott Arnette        | Board Attorney         | Remote |         |
| Catherine D. LaPorta | Chief Financial Office | Remote |         |

VI. **Administrator's Report:**

1. **Safety Coordinator Update-** Ms. Phelps reports that the annual motor vehicles municipal inspection for employees who operate are done and completed. Per new regulations currently, designated an employee representative policy that the Borough adopted, motor vehicles checks were done through National Clearinghouse for our DPW Employees, who hold a CDL license, and were all returned with no issues. The MEL-JIF sends Safety Bulletins on a regular basis, these bulletins are forwarded to our DPW foreman for their information and distribution. The loss control service resulted in no issues within the DPW trailer, the garage, and the Fire Department. On October 28<sup>th</sup> Governor Murphy signed executive order 192 which will provide mandatory health and safety standards to protect both New Jersey's workers during the ongoing 2019 COVID pandemic. All employees must wear face masks, and get temperature taken daily logging into the book.
2. **Policy for the Protection & Safe Treatment of Minors-** The ML has developed a model policy and procedures manual, Ms. Phelps worked with Chief Kelly and Borough Attorney Scott Arnette on the Borough's policy and procedure manual to address this recent legislation and developed the policy included in their agenda packets. As there were no objections, this item was approved for action during the regular meeting.

Ms. Phelps next reported on the most recent Governor's Order for mandatory health and safety standards to implement to protect New Jersey workers during COVID pandemic. She has reached out to all Department Heads and put in place as of that morning the requirement for face masks when entering the Borough building and when not at one's desk. A system has been set up for taking temperatures and completing a monitoring log with questions. She extended a thank you to OEM Coordinator Buzz Baldanza, Katie LaPorta and Kim Parent for their assistance in putting everything in place.

Ms. Phelps also reported that she has not heard back from FEMA regarding the Borough's scope of work change for the new complex. She has reached out to Congressman Pallone's office who will reach out to FEMA on behalf of the Borough.

There has been no update on the sports-wagering tax reimbursement.

There has been vandalism at the Blackberry Bay, due to all of the costs and manpower of the up-keep, the town is looking to install cameras. Discussion ensued on whether to purchase or rent, where cameras would be located to avoid vandalism, the ability to relocate cameras to another location if no longer needed at the site and how to fund the project. Afterwards it was decided to pursue purchase and installation with costs to be charged to Open Space Trust Fund as well as monthly monitoring and look into the possibility of providing internet to the location.

NJDCA has authorized the extension of the Centennial Trust rider. She continues to work with the Borough Attorney, insurance provisions are met and hopes to authorize the two contracts with Merri-makers for the 12/3 meeting.

Ms. Phelps continues to work with OEM, Fire Department and Police to provide for personal protective equipment; the Borough initially budgeted for \$60,000 for COVID19 expenses and asked CFO LaPorta to provide additional details. Ms. LaPorta consulted with the auditor and advised that the recommendation is to continue to do as a budget reimbursement with the grant monies from the County and continue to spend from that line item and request additional reimbursements.

## **VII. Clerk's Report:**

### **Regular Meeting Items:**

1. Resolution authorizing payment of BILL LIST 11-05-2020
2. Resolution authorizing 2020 budget appropriation transfers
3. Resolution amending the 2020 salary resolution
4. Resolution to amend 2020 budget for Drunk Driving Enforcement Grant
5. Resolution authorizing refund due to tax appeal - Block 49, Lot 2
6. Resolution authorizing a Tax Exemption for Joseph W. Van Sant
7. Resolution authorizing Tax Sale Redemption #18-00006
8. Resolution designating Oceanport as a stigma-free community
9. Resolution renewing SCAT agreement with Monmouth County for 2021
10. Resolution awarding contract for 2019 Road Program - Main St Phase 3 & Bridgewaters Dr
11. Resolution awarding contract for 2020 Road Program
12. Resolution authorizing settlement of costs associated with Hazen Drive Water Main Break
13. Resolution appointing Bernadette Schickschneit to fill a vacancy in the Clerk's Office
14. Resolution adopting a Information Technology Policy & Cyber Incident Response Plan
15. Resolution authorizing a Shared Services Agreement with Monmouth County to provide CRS Mgmt Software
16. Resolution authorizing a Shared Services Agreement with County for Flood Warning Program
17. Resolution adopting the updated Multi-Jurisdictional Hazard Plan
18. Receipt & Acceptance of Minutes, Historical Committee, Sept. 10, 2020
19. Receipt & Acceptance of Minutes, Parks & Recreation Committee - August 12, 2020
20. Mayor & Council - Workshop - Jun 4, 2020 7:00 PM
21. Mayor & Council - Workshop - Oct 1, 2020 7:00 PM
22. Mayor & Council - Regular Meeting - Oct 15, 2020 7:00 PM

- 23. Approval of Fire Department Membership, Salvatore LaRosa
- 24. Approval of Fire Department Membership - Frederick Santi

Ms. Smith reported that the Clerk's office had processed 175 OPRA requests thus far for 2020. The requests are continuing to strain our staff with record requests, but we have been able to get them out in a timely manner, thankfully our residents have been patient with us. Ms. Smith asked for any questions or comments on the items listed for action at the regular meeting. As there were no questions or objections, Items 1-24 were moved forward to the Consent Agenda for action.

#### **VIII. Discussion Items:**

- 1. Request to Purchase 15' Right of Way Between Block 109, Lot 5 and Lot 6 (Horseneck Point Road)

Ms. Smith advised that she was in receipt of correspondence to the Governing Body from resident Thomas Kelly who was seeking to purchase the 15' right of way adjacent to his property on Horseneck Point Road. The right of way provides access to the river, however, Mr. Kelly was presently before the Planning Board for variance relief and is required by law to attempt to purchase additional land in order to reduce the non-conformity of his lot. There was brief discussion, however, the governing body unanimously agreed to continue the policy of maintaining water access and directed the Clerk to respond to the resident that the Borough was not interested in vacating the right of way.

- 2. Request for temporary waiver of overnight parking ban - 17 Springfield Ave

Ms. Smith stated that Mayor Coffey received a letter through an email from a daughter of the resident of 17 Springfield Ave, asking if they could park an RV on the street from November 22<sup>nd</sup> through the 27<sup>th</sup> due to poor health conditions of the parents and COVID related reasons and quarantine requirements. Ms. Smith spoke with Chief Kelly who joined the meeting and confirmed that his recommendation was to approve subject to review by traffic safety for size of vehicle and narrowness of street. After the discussion with Governing Body, Ms. Smith was authorized to add the drafted resolution with conditions on for action in the regular meeting authorizing a temporary waiver of the code.

- 3. Fort Monmouth Reuse Plan Amendment #16

Councilman Tvrdek, Mayor Coffey and Ms. Smith led discussion on the proposed amendment to the Fort's Reuse Plan, concerns expressed by the planning board for front yard setback, changing look of main street, adding a larger brewery, and parking issues; comments by the Borough Planner that amendment should be updated to include required language for affordable housing, comments by the Fire Chief, Environmental Committee and Borough Historian Frank Barricelli. There was some discussion concerning the number of affordable housing units required, the availability of parking and was there a sufficient amount. The draft resolution was amended to include two highlighted points by the Borough Planner and attach all comments provided. As there were no objections, the resolution as amended was approved for action in the regular meeting.

- 4. Introduction of Land Development Ordinance

Councilman Tvrdek asked Ms. Smith to handle this item as he needed to exit the meeting at 7:51 pm

Ms. Smith summarized the work of the ordinance committee consisting Borough Planner Kendra Lelie, Borough Engineer Bill White, Zoning Officer John Johnson and Planning Board Chairman and Vice-Chairman, provided a detail of the updates including compilation of several ordinances, updates the 1975 code, updates setbacks for accessory structures and others. Introduction of the ordinance was on for action at the regular meeting with no objections.

- IX. Mayor's Report:** Mayor Coffey recognized the passing of Richard Joline, a regular attendee of their meetings; Mayor Coffey commented that Halloween went off without a hitch and better than anyone predicted – Recreation Committee did a phenomenal job on their event.

- X. Petitions from the Public:** Mayor Coffey opened the meeting to petitions from the public. Public was advised to click button on "raise hand" to want to speak, email to [publiccomments@oceanportboro.com](mailto:publiccomments@oceanportboro.com) or call the meeting line at 732.272.8337.

Stuart Briskey, 46 Werah Place, stated he was questioning item number 12 the resolution authorizing settlement costs associated with Hazen Drive, he wanted to know the full details and where the money

was coming from? Mayor Coffey responded several years ago incident with FMERA by one of our fire trucks hitting a fire hydrant, it was a \$33,000 claim. There was three parts to the claim, one was for damage of the pipe and hydrant, the second was for the water usage, and the third was for main work. Discussion ensued on opinions of the settlement and how it should have been handled, who was responsible, why wasn't the hydrant marked, was there permission for the hydrant, exchange of services with FMERA and the decision was to settle the claim for 1/3 the cost.

Councilman Tvrdik re-entered meeting at 7:58 pm

Hank Wollman, 16 Center Street, I want to thank the entire council for the professional dedication for a thankless job and for their thoroughness in attacking the issues and just wanted to reiterate his appreciation for them and for the Borough staff. Mr. Wollman asked about the Nurse's Quarters and was it a historic district and was told no – it was not, could be knocked down but proposal was to reutilize. He commented that he thought units that close to the street would be out of character with the neighborhood and was unreasonable to ask persons to park at the rear of the existing buildings.

Lindsey Orosz, 49 Gooseneck Point Rd., new residents, submitted email which Ms. Smith read into the record which complained of the poor conditions of their road, poor water drainage and the Boroughs failure to address the overgrown trees and blind spots at the entrance by the bridge. Councilman Gallo responded that in 2021 the town will be starting the project of repairing that roadway over a two-year project period due to the length of the road subject to financing of the project, and the water company will be there replacing the lines. Ms. Orosz was able to connect and asked if there was any financial support they could provide or what could they do to ensure that the project was funded. Mayor Coffey advised that the brush overgrowth was on County property and would have the Borough reach out to them to address.

As no one else from the public presented, Mayor Coffey closed that portion of the meeting.

- XI. Adjournment:** As there was no further business, the meeting was adjourned at 8:18 PM on a motion by Councilwoman Walker, seconded by Council President Gallo and approved by Council.

Respectfully submitted,

Jeanne Smith  
BOROUGH CLERK